

**15-DAY TEXT OF REGULATIONS
FOR
ADOPTION OF AMENDMENTS
OF THE
OFFICE OF THE STATE FIRE MARSHAL
REGARDING**

California Code of Regulations

Title 19 Public Safety Code

Division 1

Chapter 13 California Fire Service Training and Education Program

Article 2

Sections 1990.00-1990.12

Legend for Text of Regulations:

45-Day amendments appear in underline for proposed additions and ~~strikeout~~ for proposed deletions.

15-Day amendments are illustrated by **highlighted** double underline for “additions” to language originally proposed and ~~double-strikethrough~~ for “deletions” to language originally proposed.

Article 2 GENERAL PROVISIONS

1990.00 Incorporated References

Administrative procedures for the California Fire Service Training and Education Program shall consist of the following documents incorporated by reference:

“State Fire Training Procedures Manual (January 2015 2019)”, and the “Course Information and Required Materials Manual (January 2019 May 2015)”.

Registered instructors and State Fire Marshal staff shall ensure that all applicable instructions in the incorporated referenced documents are followed to become a registered instructor and to instruct State Fire Marshal FSTEP and CFSTES accredited and approved courses.

(a) The following forms, in the format developed by the Office of the State Fire Marshal, which are incorporated by reference, can be found in the adopted “State

Fire Training Procedures Manual, Section 4412: Forms and Checklists (January 20152019).”

- (1) Fee Schedule (January 20152018)
- (2) ~~CFSTES Course Request for Course Scheduling (January 2015)~~ Request for a Student Transcript (February 2017)
- (3) ~~CFSTES Returns Checklist (January 2015)~~Instructor Application (August 2018)
- (4) ~~FSTEP Request for Course Scheduling (January 2015)~~Instructor Code of Ethics/Conduct (January 2015)
- (5) ~~FSTEP Returns Checklist (January 2015)~~Request for Course Scheduling (January 2018)
- (6) ~~Request for Student Records (January 2015)~~ Course Returns Checklist (September 2018)
- (7) ~~Instructor Code of Ethics/Conduct (January 2015)~~ Certification Examination Request (September 2018)
- (8) ~~Instructor Application (January 2015)~~ Registered Evaluator Code of Conduct (July 2018)
- (9) ~~Student Course Evaluation Form (January 2015)~~Certification Examination Retake Application (January 2016)
- (10) Fire Fighter I Certification Upgrade Application (September 2016)
- (11) Fire Fighter I Certification Reciprocity Application (July 2018)

Note: Authority cited: Section 13157 Health and Safety Code. Reference: Section 13157(a) Health and Safety Code.

1990.01 The Office of the State Fire Marshal shall establish levels of certification based on the development of Certification Training Standards (CTS) guides for fire service professional qualifications based on National Standards and developed for specific job functions within a professional certification track as listed on the SFM website. The CTS Guides are incorporated by reference as amended by the OSFM and list the requisite knowledge, skills and job performance requirements a person is expected to complete for certification in a specific function. The following Certification Training Standards are incorporated by reference as a baseline for performance in each career classification:

1. ~~Fire Fighter I (October 2013)~~Chief Fire Officer (September 2017)
2. ~~Fire Fighter II (January 2014)~~Community Risk Educator (November 2014)
3. ~~Fire Inspector I (October 2010)~~Community Risk Officer (November 2014)

4. ~~Fire Inspector II (October 2010)~~Community Risk Specialist (November 2014)
5. ~~Plan Examiner (May 2015)~~Company Officer (May 2014)
6. ~~Community Risk Educator (November 2014)~~Executive Chief Fire Officer (November 2014)
7. ~~Community Risk Officer (November 2014)~~Emergency Vehicle Technician I (June 2018)
8. ~~Community Risk Specialist (November 2014)~~Emergency Vehicle Technician II (June 2018)
9. ~~Fire Apparatus Driver/Operator Aerial Apparatus (August 2015)~~Emergency Vehicle Technician III (June 2018)
10. ~~Fire Apparatus Driver/Operator Pumping~~Aerial Apparatus (August 2015)
11. ~~Fire Apparatus Driver/Operator Tiller~~ed Pumping Apparatus (August 2015)
12. ~~Fire Apparatus Driver/Operator Water Tender~~Tillered Apparatus (August 2015)
13. ~~Fire Apparatus Driver/Operator Wildland Fire Apparatus~~Water Tender (August 2015)
14. ~~Instructor I (May 2014)~~Fire Apparatus Driver/Operator Wildland Fire Apparatus (August 2015)
15. ~~Instructor II (May 2014)~~Fire Fighter I (October 2013)
16. ~~Instructor III (November 2014)~~Fire Fighter II (January 2014)
17. ~~Executive Chief Fire Officer (November 2014)~~Fire Inspector I (October 2010)
18. ~~Company Officer (May 2014)~~Fire Inspector II (October 2010)
19. Fire Marshal (March 2018)
20. Instructor I (May 2014)
21. Instructor II (May 2014)
22. Instructor III (November 2014)
23. Plan Examiner (May 2015)

Note: Authority cited: Section 13159 (d) and 13159.8(b), Health and Safety Code. Reference: Sections 13159 (d) and 13159.8(b), Health and Safety Code.

1990.02 Accredited and Approved Course Curriculum and Course Certificate

Registered instructors shall not delete any material from an accredited or approved curriculum, as referenced in the "Course Information and Required

Materials Manual (May 2015),” unless approved in writing by the ~~Division~~ Chief of State Fire Training per Section 1980.06, CCR.

(a) This section shall not prohibit registered instructors from adding additional material which exceeds the minimum requirements established for the course curriculum, with the condition that additions do not conflict with the established State standards and recognized procedures pursuant to this regulation.

(b) An accredited course is adopted by the State Fire Marshal (SFM) and includes some form of cognitive examination or evaluation to determine student competency in accordance with Section 1990.03.

(1) A student successfully completing an accredited course shall receive a course completion certificate that can lead to position certification in a specialized career track within the California Fire Service Training and Education System (CFSTES).

(c) A Fire Service Training and Education Program (FSTEP) course is a class approved by the State Fire Marshal.

(1) FSTEP courses may include some form of cognitive or ~~skills~~psychomotor evaluation of student competency.

(2) A student successfully completing a (FSTEP) course will receive a course completion certificate. All approved courses are classified as the Fire Service Training and Education Program (FSTEP) which does not lead to certification.

Note: Authority cited: Section 13157(b), 13159.1(a), 13159.8(b) Health and Safety Code. Reference: Sections 13157(b), 13159.1(a), 13159.8 Health and Safety Code.

1990.03 Written Summative Testing

(a) When required by the Office of the State Fire Marshal, pursuant to section 1990.02(b), an instructor shall develop and administer an end of course written summative test.

(b) The instructor shall maintain a copy of their written summative test for a minimum of four ~~(4)~~(5) years.

(c) A copy of the written summative test shall be provided to State Fire Training staff upon request.

(d) Any student who fails to pass a written summative test after two attempts shall be required to retake the entire course.

(e) Any student found cheating during the administration of a written summative test shall not be permitted to complete the test and shall be required to retake the entire class.

Note: Authority cited: Section 13159.8(c), (d) and (e) Health and Safety Code. Reference: Section 13159.8(c), (d) and (e) Health and Safety Code.

1990.04 Instructors

All instructors under the California Fire Service Training and Education Program, with the exception of Firefighter I and Firefighter II instructors, shall be registered with the State Fire Training Division following the procedures for each course specialty as outlined in the "State Fire Training Procedures Manual" per section 1990.00, CCR.

(a) Registered Instructors shall meet specific coursework, instructor requirements, teaching experience, rank, and occupational experience. A registered instructor can be approved to teach either or both California Fire Service Training and Education System (CFSTES) and Fire Service Training and Education Program (FSTEP) courses.

(1) Senior Instructors shall meet minimum qualifications for accredited and/or approved Rescue related courses per "State Fire Training Procedures Manual," Section 1990.00 CCR.

(2) Primary Instructors have the lead responsibility for the delivery of an OSFM CFSTES or FSTEP course per "State Fire Training Procedures Manual," Section 1990.00 CCR.

(3) Adjunct Instructors shall meet minimum instructor criteria and work under the supervision of a primary instructor for the delivery of an OSFM accredited and approved courses per "State Fire Training Procedures Manual," Section 1990.00 CCR.

(4) Registered Lead Evaluator and Registered Skills Evaluator shall meet minimum instructor criteria to evaluate student skill demonstrations or exams per "State Fire Training Procedures Manual," Section 1990.00 CCR.

(b) Registered Instructors shall notify the State Fire Training Division *via email* of any status change in regard to name, address, telephone number and e-mail address.

(1) Failure to notify the State Fire Training Division as set forth in Section, 1990.04(b) shall result in the Registered Instructor being placed on the inactive list.

(2) Registered Instructors on the inactive list shall be reinstated to the active list if they comply with Section, 1990.04(b).

Note: Authority cited: Section 13159(d) Health and Safety Code. Reference: Section 13159(d) Health and Safety Code.

1990.05 Accredited Facilities

The Office of the State Fire Marshal, with a recommendation from the State Board of Fire Services (SBFS) and/or the Statewide Training and Education Advisory Committee (STEAC) may designate community colleges as an Accredited Regional Training Program (ARTP) and local fire departments as an

Accredited Local Academy (ALA) per the accreditation procedures specified in the “State Fire Training Procedures Manual” Section 1990.00, CCR.

(a) An “Accredited Regional Training Program (ARTP)” is a community college in partnership with local fire departments, which has been accredited by the OSFM to deliver OSFM accredited and approved courses as described in the “State Fire Training Procedures Manual” per Section 1990.00 CCR.

(b) An “Accredited Local Academy (ALA)” is a single fire agency actively providing federal, tribal, state, municipal, county, or district fire protection services (serving a specific authority having jurisdiction), which has been approved by the OSFM to deliver OSFM accredited and approved courses as described in the “State Fire Training Procedures Manual” per Section 1990.00 CCR.

(c) An “Accredited Rescue Training Site (ARTS)” is a training facility that meets the site, training prop, tools and equipment requirements for Rescue Systems 1, Rescue Systems 2 and/or Confined Space Rescue requirements as described in the “State Fire Training Procedures Manual” per Section 1990.00 CCR.

(d) These facilities shall be cited as “accredited facilities” in these regulations

Note: Authority cited: Section 13142.4, 13157(a), 13159 (b), (d) and (f) Health and Safety Code. Reference: Section 13142.4, 13157(a), 13159 (b), (d) and (f) Health and Safety Code.

1990.06 Safety Policy

All registered instructors who are conducting a State Fire Marshal accredited or approved course shall have, when appropriate, a safety plan as part of the instructional process. The plan shall address, but is not limited to, the following elements: safe operating procedures, location of exits, emergency notification phone numbers for staff and students, location of first aid equipment, and the locations of appropriate medical facilities. This safety plan shall be communicated to the students at the beginning of the class.

Note: Authority cited: Section 13156(f) and 13159(d) Health and Safety Code. Reference: Section 13156(f) and 13159(d) Health and Safety Code.

1990.07 Accountability

It is the responsibility of registered instructors, registered lead evaluators, registered skills evaluators, and accredited facilities and host facilities to maintain the procedural standards and ethical conduct by which they were granted registration or accreditation. The ~~Division~~ Chief of State Fire Training will reevaluate the registration status of an instructor, or accreditation status of a facility, in the event that if or when compliance with these standards comes into question in accordance with the State Fire Training Procedures Manual as incorporated by reference.

(a) Written comments by students, instructors, fire technology directors or fire officers, regarding instructors, accredited facilities, registered skills evaluators, host facilities, or academies will be reviewed and investigated by the OSFM when the comment is in writing and directed to the ~~Division Chief of State Fire Training~~, Assistant State Fire Marshal or State Fire Marshal.

Note: Authority cited: Section 13157(a), 13159(b), (d) and 13159.8(a), Health and Safety Code. Reference: Section 13157(a), 13159(b), (d) and 13159.8(a), Health and Safety Code.

1990.08 Suspension or Revocation

Corrective action shall be taken to ensure compliance with the procedures and ethical conduct of the OSFM and to call to ~~the instructor's or accredited facility's~~ attention any problems that have been reported regarding registered instructors, registered lead evaluators, registered skills evaluators, accredited facilities, and/or host facilities.

(a) A written negative comment shall be investigated and corrected, if necessary, by the ~~Division Chief of State Fire Training~~.

(b) Written negative comments will serve as documentation in the ~~instructor's or accredited facility's~~ registered instructors, registered lead evaluators, registered skills evaluators, accredited facilities, and/or host facilities file as an infraction or breach in procedures or ethical conduct in accordance with Section 1990.00 CCR. Written negative comments shall form the basis for the OSFM to ~~conduct an investigation on~~ the validity and seriousness of the comment.

(c) An investigation that uncovers breaches of procedures or an ethical violation may lead to a notice of suspension or revocation of ~~instructor registration or facility~~ registered instructor, registered lead evaluator, registered skills evaluator, accredited facility, and/or host facility accreditation.

(d) Suspension of ~~instructor registration or facility~~ registered instructor, registered lead evaluator, registered skills evaluator, accredited facility, and/or host facility accreditation shall be based on documented evidence of breaches in procedures or ethical conduct. The instructor or accredited facility shall receive a written notice of the proposed suspension that will include the specific details of the infractions and 60 days, to respond in writing, before the suspension takes effect. The written notice shall contain information on the appeal process to the suspension.

(1) ~~State Fire Training or one of its authorized representatives~~ has the authority to suspend a class or instructor if a violation or threat to public safety has occurred. Such an action shall be documented by the State Fire Training representative and the instructor shall be required to cease all instructional activities immediately.

(e) Revocation of instructor registration or facility registered instructor, registered lead evaluator, registered skills evaluator, accredited facility, and/or host facility accreditation shall be based on documented evidence of breaches in procedures or ethical conduct in accordance with Section 1990.00 CCR. This action may be heard administratively. The instructor or accredited facility registered instructor, registered lead evaluator, registered skills evaluator, accredited facility, and/or host facility will receive written notification that shall include specific details of breaches in procedures or ethical conduct and the penalty proposed from the ~~Division~~ Chief of State Fire Training.

(1) The written notice of revocation to an instructor or accredited facility registered instructor, registered lead evaluator, registered skills evaluator, accredited facility, and/or host facility shall include the specific details of the infractions, and revocation shall be effective immediately upon receipt of the notice. The written notice shall contain information on how to appeal the revocation.

(f) An investigation that uncovers ethical violations or infractions by students and/or classes may lead to a notice of suspension, certification recantation, criminal charges, and/or SFT system expulsion for up to two years. Such action shall be based on documented evidence of ethical violations or infraction. The student and/or class shall receive a written notice of the proposed punitive action that will include the specific details of the infractions and 60 days to respond in writing before the suspension takes effect. The written notice shall contain information on the appeal process to the suspension.

(1) State Fire Training has the authority to suspend a student or class if a violation or threat to public safety has occurred. Such an action shall be documented by the State Fire Training representative.

Note: Authority cited: Section 13157 Health and Safety Code. Reference: Section 13157(a) Health and Safety Code.

1990.11 Instructor Orientation and Classroom Ethics

All instructors shall complete State Fire Trainings “Regional Instructors Orientation,” “Ethical Leadership in the Classroom” and any OSFM required instructor update training programs before a CFSTES or FSTEP course request will be approved by State Fire Training.

(a) Training curriculum that is significantly updated by the OSFM may require an update class to bring current instructors up to date on changes to the training program. Current instructors will be notified of any classes that require their attendance in an update class. Failure to attend an update class may result in being removed as an approved instructor for that class.

Note: Authority cited: Section 13159(d) and 13159.8(a) Health and Safety Code. Reference: Section 13159(d) and 13159.8(a) Health and Safety Code.

1990.12 State Fire Training Fees

State Fire Training shall establish and collect fees necessary to support the California Fire Service Training and Education Program. The following fees have been approved and adopted by the Office of the State Fire Marshal as recommended by the Statewide Training and Education Advisory Committee:

(a) Course Registration Fees

Regional Instructor Orientation	\$150.00
CFSTES	\$80.00
FSTEP	\$20.00
EMT	\$25.00

(b) Certification Fees

Chief <u>Fire</u> Officer	\$ 90.00
<u>Emergency Vehicle Technician I</u>	<u>\$65.00</u>
<u>Emergency Vehicle Technician II</u>	<u>\$65.00</u>
<u>Emergency Vehicle Technician III</u>	<u>\$65.00</u>
Fire Apparatus Driver/Operator I	\$ 65.00
Fire Chief	
▪ Application	\$250.00
▪ Application PACE IV Review	\$250.00
Fire Fighter I	\$ 40.00
Fire Fighter II	\$ 40.00
Fire Inspector I	\$ 65.00
Fire Inspector II	\$ 65.00
Fire Instructor II	\$ 65.00
Fire Instructor III	\$ 65.00
Fire Investigator I	\$ 65.00
Fire Investigator II	\$ 65.00
Fire Marshal	\$ 65.00
Fire Mechanic I	\$ 65.00
Fire Mechanic II	\$ 65.00
Fire Mechanic III (Master Mechanic)	\$ 65.00
Fire Mechanic Recertification	\$ 60.00
Fire Officer	\$ 65.00
Fire Prevention Officer	\$ 65.00
Fire Protection Specialist	\$ 65.00

Hazardous Materials Technician	\$ 65.00
Hazardous Materials Specialist	\$ 65.00
Plans Examiner	\$ 65.00
Public Education Officer I	\$ 65.00
Training Instructor	\$ 65.00
Volunteer Fire Fighter	\$ 25.00
Duplicate Certificate	\$ 35.00

(c) Duplicate Course Certificate Fees

CFSTES	\$ 35.00
FSTEP	\$20.00

(d) Course Equivalency Fee

Course Equivalency Certificate	\$ 60.00
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(e) PACE III Review Fee

PACE III REVIEW	\$ 60.00
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(f) ARTP and ALA Accreditation

Application Processing	\$500.00
Site Team travel expense not to exceed	\$2,000

(g) The State Fire Marshal shall ~~make adjustments to~~ adjust the fee schedule by annually reviewing, and revising as necessary, the California Fire Service Training Program in accordance with Section 13159.4, Health and Safety Code.

Note: Authority cited: Sections 13157(d), (e), 13159.4, 13159.8(e) and 13159.10 Health and Safety Code. Reference: Section 13157(d), (e), 13159.4, 13159.8(e) and 13159.10 Health and Safety Code.